

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

SHERRY MARSHALL,

Defendant.

:

Case No. 3:08CR0117

:

Magistrate Judge Sharon L. Ovington

:

ORDER FOR COMPETENCY EVALUATION

This case is before the Court for consideration of whether Defendant is competent to assist in her own defense. Defendant's counsel has moved to have the Defendant evaluated and the United States has no objection.

Accordingly, the Court finds there is good cause to believe Defendant is not competent, and therefore finds, pursuant to 18 U.S.C. § 4241(a), that there is reasonable cause to believe that Defendant is presently suffering from a mental disease or defect rendering Defendant incompetent to the extent that Defendant is unable to understand the nature and consequences of the proceedings or to properly assist in the defense.

Therefore, pursuant to 18 U.S.C. § 4247(b), Defendant is ordered committed to the custody of the Attorney General of the United States for a period not to exceed thirty days for placement in a suitable facility to undergo a mental competency evaluation. The mental health professional designated to conduct the examination shall file a prompt report with this Court pursuant to 18 U.S.C. §4247(c).

August 25, 2008

s/ Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge